



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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1/28/03

Applicants: Yu-Chen Shen; Mira S. Misra
Assignee: Lumileds Lighting U.S. LLC
Title: Indium Gallium Nitride Separate Confinement Heterostructure Light Emitting Devices
Serial No.: 10/033,349 Filing Date: November 2, 2001
Examiner: Douglas A. Wille Group Art Unit: 2814
Docket No.: M-11972 US

San Jose, California
January 16, 2003

Box: RCE
COMMISSIONER FOR PATENTS
Washington, D. C. 20231

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RESPONSE TO OFFICE ACTION

Dear Sir:

This responds to the Office Action dated October 16, 2002. A request for continued examination accompanies this response. Please amend the above-identified application as follows.

IN THE CLAIMS

Please amend the claims as follows. The following is a clean version of the entire set of pending claims 1-17 and 19-28. In accordance with 37 CFR § 1.121(c)(1)(ii), Attachment A provides marked up versions of the claims containing the newly introduced changes.

1. (Twice Amended) A light emitting device comprising:

a substrate;

a first conductivity type layer overlying the substrate;

a lower confinement layer overlying the first conductivity type layer, the lower confinement layer comprising $\text{In}_x\text{Ga}_{1-x}\text{N}$, wherein $0 \leq x \leq 0.15$;